

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI

In Re:	)	Case No 14-43989
	)	Chapter 7
ERIC E. VICKERS,	)	Honorable Kathy A. Surratt-States
	)	
	)	<b>TRUSTEE'S APPLICATION TO</b>
Debtor.	)	<b>EMPLOY COUNSEL</b>

COMES NOW Seth A. Albin, Chapter 7 Trustee herein ("Trustee") pursuant to 11 U.S.C. §§327 and 328 files this Motion for Approval of Employment of Attorneys and in support thereof respectfully states as follows:

1. Seth A. Albin is the duly appointed, qualified and acting Chapter 7 Trustee herein.
2. The Court has jurisdiction in regard to this matter pursuant to 28 U.S.C. §151, §1334, and Local Rule 9.01(B) of the United States District Court for the Eastern District of Missouri. This is a core proceeding pursuant to 28 U.S.C. §157(b)(2). Venue is proper pursuant to U.S.C. §1409.
3. Debtor filed a Petition for Relief under the provisions of Chapter 7 of Title 11 of the United States Code on May 16, 2014.
4. Trustee desires to employ Harold V. O'Rourke, Katherine E. Henry and the law firm of Stewart, Mittleman, Heggie, Henry & Albin, LLC ("SMHHA"), attorneys duly admitted to the practice of law before this Court, to assist and advise him with respect to certain matters which Trustee believes require the services of an attorney.
5. Trustee requires the service of an attorney to assist the Trustee in the investigation and administration of potential assets of the Debtor. Potential assets are unknown, as Debtor has not filed schedules in a timely manner.

6. Legal services are also required to assist the Trustee in the discovery and recovery of additional assets, in the drafting of legally correct notices to creditors and others, and in the objection to and prosecution of claims.

7. Said attorneys are experienced in bankruptcy matters and are capable of handling the aforesaid matters.

8. At the present time, the hourly rates of the individuals who may provide services in connection with this case are as follows:

Harold V. O'Rourke- \$200.00 per hour  
Katherine E. Henry - \$150.00 per hour  
Annie Grossmann- Paralegal - \$50.00 per hour  
Members of SMHHA - \$200.00-\$300.00 per hour  
Other Associates of SMHHA - \$150.00-\$195.00 per hour

From time to time, the hourly rates may be adjusted.

9. To the best of the Trustee's knowledge, the above individual and firm do not have any connection to nor represent any interest adverse to the Debtor, the creditors, any other party of interest, their respective attorneys and accountants, the United States Trustee or any person employed in the office of the United States Trustee, other than that arising from the administration of this case and other bankruptcy cases.

WHEREFORE, the Trustee prays that he be authorized to employ said attorneys for the purposes outlined above.

Respectfully submitted,

Stewart, Mittleman, Heggie, Henry & Albin, LLC

By: /s/ Seth A. Albin

Seth A. Albin, #46483 MO

Chapter 7 Trustee

Stewart, Mittleman, Heggie, Henry & Albin LLC

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing was served via electronic filing in the CM/ECF system of the United States Bankruptcy Court for the Eastern District of Missouri to the parties requesting service by electronic filing. I also certify that a copy of the foregoing was served via United States Mail, first class postage prepared on the date of the electronic filing of this document to those individuals and entities not requesting service by electronic filing. The individuals and entities being served electronically or by mail are:

Office of the United States Trustee  
111 S. 10<sup>th</sup> Street, Suite 6353  
St. Louis, MO 63102

John Talbot Sant, Jr.  
Attorney at Law  
Affinity Law Group  
1610 Des Peres Road, Suite 100  
St. Louis, MO 63131  
Attorney for Debtor

Eric E. Vickers  
1100 Wyoming  
St. Louis, MO 63118

Date: 6/18/14

/s/ Seth A. Albin